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NOTES ON MUNICIPAL GOVERNMENT.

AMERICAN CITIES.

Direct Employment of Labor by Municipalities. The question of the direct employment of labor by municipal authorities is becoming one of increasing importance. The unsatisfactory results of the contract system have been apparent, for some years past, to those engaged in municipal work. Direct municipal control in the execution of public works is being advocated by many of the leading officials in the larger cities. Within recent years another aspect of the question has been attracting considerable attention. The possibility of greatly improving the condition of labor under direct municipal employment has been conclusively proven in several recent reports upon the subject. The policy of the London County Council, was one of the first and most important steps in this direction. While maintaining the high standards adopted at the very start, the council has been able to influence indirectly the general condition of labor in the various trades. It was thought at first that this new labor policy could only be maintained at the expense of the tax-payer. Bitter attacks upon the council were made by the more conservative elements in the community; claiming that the council had adopted a philanthropic scheme of employment which would result in the pauperization of the working classes. The results have negated all such forecasts. The true economy of the policy thus adopted has shown itself in two distinct ways: First, through the greater efficiency of labor thus employed; secondly, through the reduction of the cost of inspection and supervision over the execution of public works. The important part played by the latter element has been very generally neglected in discussions of the subject; but it constitutes one of the most important items of expenditure and tends greatly to increase the cost of contract work. The recent report of the Department of Labor* on the rate of wages paid under public and private contract, tends to fully confirm the facts of English experience. It is only necessary to cite one or two of the many trades covered in this report. Thus, in Baltimore, blacksmiths employed on public work directly by the city or state, and working fifty-four hours per week were paid from 22¼ to 30 cents per hour. Those employed on public work by contractors

* Published in the *Bulletin of the Department of Labor*, Washington, November, 1896. The investigation was conducted by Ethelbert Stewart and covers the cities of Baltimore, Boston, New York and Philadelphia.

and working sixty hours per week only received from $17\frac{1}{2}$ to 26 cents per hour; the same wages being paid by contractors employed on private work. Again, in the same city, carpenters employed directly by the city were paid an average wage of $32\frac{1}{4}$ cents per hour; those employed by contractors on public work were paid but $25\frac{3}{4}$ cents, while those engaged on private work by contractors were paid $26\frac{1}{2}$ cents. The report furthermore cites an interesting instance from the city of Boston, where the work of sprinkling streets was taken over by the city in 1895. In one district the cost under the contract system was \$5128.50; under direct municipal management but \$2540.

New York.*—*General Character of Mayor Strong's Administration.* As the end of Mayor Strong's term of three years approaches, it becomes possible to form an estimate of the meaning and the value of the results accomplished by his administration. He was elected in November, 1894, by a combination of all the political forces in the city opposed to Tammany Hall, under the leadership of the Committee of Seventy. All the candidates of that committee accepted the platform of the committee which contained the following declaration:

"Municipal government should be entirely divorced from party politics, and from selfish personal ambition or gain.

"The economical, honest and business-like management of business affairs has nothing to do with national or state politics.

"We do not ask any citizen to give up his party on national or state issues, but to rise above partisanship to the broad plane of citizenship, and to unite in an earnest demand for the nomination and the election of fit candidates, whatever their national party affiliations."

Mayor Strong took office on the first of January, 1895, pledged to administer his office in accordance with these principles. The result has been one of the most interesting episodes in the political history of the city. A general examination of the administrative work of Mayor Strong's government leads to the conclusion that during the past three years the city has had a striking illustration of the soundness of the theory that municipal administration ought to be separated at every point from mere party politics. This illustration presents two aspects. Upon the one hand, those heads of departments who have been appointed by Mayor Strong solely with reference to their qualifications have brought their departments to a state of efficiency far in advance of anything attained under the old Tammany régime. On the other hand, Mayor Strong's administration has presented instances of appointments to important offices made wholly or in part for political reasons; and, as a rule, these appointments have resulted in a continuance, to a greater or less

* Communication of James W. Pryor, Esq.

extent, of the abuses which under Tammany were prevalent in all departments of the city government. As a whole, the administration has been a great improvement.

Citizens' Union. The Citizens' Union has continued with industry its efforts to insure a united attempt on the part of all good citizens to elect at the November election municipal officers for the Greater New York who will administer the vast affairs of the new community for the benefit of the people, and without reference to political conditions. As it has become more and more apparent that the union meant to stand by its principles, and not to seek an alliance with any political machine, the representatives of boss rule have shown signs of distress which indicate that they see serious danger in the attitude of the union. Senator Platt and Mr. Edward Lauterbach have assailed the union with considerable vehemence, through the newspapers, Mr. Lauterbach going so far as to declare that he would prefer for mayor of the Greater New York an out-and-out Tammany man to any representative of the ideas advocated by the Citizens' Union. It is true that the gentleman who has succeeded Mr. Lauterbach recently as chairman of the republican county committee is more conciliatory. The temper of the union was shown at a meeting of its central committee of two hundred and fifty on the fifteenth of June, when the following resolution was adopted almost unanimously:

"Resolved, That it is the purpose of the Citizens' Union, as soon as practicable, to secure independent nominations for all offices to be filled in the city of New York at the next election."

On the seventh of June, the executive committee of the union which had approached Mr. Seth Low with the suggestion that he should become the union's candidate for the office of mayor of the Greater New York, received from him a letter in which he said that he was not at the time prepared to accept the nomination, and that he would not be inclined to accept it unless he were convinced that the demand for his candidacy was general among good citizens, and that his candidacy would prove to be a "unifying force among the friends of good government." Since that time the union has been engaged in securing from voters written expression of their desire that Mr. Low should become the candidate of the union; and it is believed that this expression is already so strong that it will be accepted as conclusive proof of the existence of the popular demand for the nomination of Mr. Low. Organizations similar to the Citizens' Union have been started in other parts of the Greater New York territory; and with the nomination of a strong ticket, untainted with machine politics, the movement would probably assume

formidable proportions. In the present city of New York, the peculiar territory of the Citizens' Union, the enrollment of the union is about 20,000, and the enrollment of voters desiring the nomination of Mr. Low about 50,000.

Street Railway Franchises. A warmly contested struggle is being waged between the various street railway companies for the control of the street railway system in the upper part of Manhattan Island. The contestants are the Metropolitan Traction Company and the Third Avenue Railway Company. The Metropolitan Company, the lessee of the Sixth and Eighth Avenue Railway system, applied for permission to change the motive power to electricity. The Third Avenue Company, which desires to obtain control of these lines, is urging upon the city authorities the advisability of exercising its option to purchase the system and re-lease it to another company. The original franchise grant of 1851 required the companies to file a statement of the cost of the road and gave to the city the option to purchase the same at an advance of ten per cent upon its cost. The Third Avenue Company offers to the city a bonus of \$10,000,000 on such cost of purchase, or will lease the roads, agreeing to pay to the city ten per cent on the cost of purchase plus an annual payment of five per cent of gross receipts. Soon after this offer was made, several individuals and companies offered to purchase the roads at a still more favorable valuation. The Metropolitan Company denies the right of the city to purchase the roads. The question has been submitted to the supreme court for an opinion. The report of the State Railroad Commission shows that the cost of the Sixth Avenue Road was \$621,602, and of the Eighth Avenue, \$665,181. It is evident that under such conditions of purchase the city treasury would receive a very large surplus. In this connection the recent decision of the court of appeals is of importance. The decision declared the building and operation of railways a distinct municipal purpose, thus disposing of one of the preliminary questions as to the possibility of municipal control and management of the street railway system.

Governor Black's Civil Service Bill.—In pursuance of his expressed determination to "take the starch out of the civil service," the governor procured, during the last days of the session of the legislature, the passage of a bill designed to introduce in a modified form the vicious principle of examinations under the control of the appointing power. The bill was condemned by all the friends of civil service reform; but the governor's signature has now made it law. It is of particular interest to the people of this city, because of the greatly increased opportunities for partisan use of the public service by any political machine that may secure control of the government of the Greater New York.

Constitutional Amendment.—The recent action of the New York Legislature on the Greater New York charter has proven the inadequacy of the constitutional provision which was intended to secure a greater degree of municipal home-rule. It will be remembered that one of the most important questions before the State Constitutional Convention of 1894 was the formulation of greater restrictions upon the power of the legislature in its relation to the municipalities. The clause finally adopted provided for the division of the cities of the state into three classes. Bills affecting municipalities are divided into two classes:—general city bills are those affecting all the municipalities of the class, and special city bills were those affecting less than all the members of one class. The constitution requires that special city bills be submitted to the mayors of the cities affected, and that in case of veto they be repassed by the legislature. It was expected that this provision would prevent the passage of laws obnoxious to the city authorities. The veto of the mayor of New York on the Greater New York charter was completely ignored by the legislature. The mayor's objections were confined to three points:—First, the provision for a bicameral city legislature; second, the perpetuation of the bipartisan police board; and, thirdly, the restriction of the power of removal, without charges, to the first six months of his term. All three of these points are fundamental to the system of government provided for in the charter, but made no impression upon the legislature.

Philadelphia.—A recent decision of the Supreme Court of Pennsylvania will seriously retard work on some of the larger undertakings upon which the city has embarked during recent years. Two loans of \$8,000,000 and \$3,000,000, respectively, have been authorized by the city council for the purpose of constructing a filtration plant, improving the gas works, the schools, and for other urgent purposes. The constitution provides (Article IX, Section 8) that "The debt of any city, county, borough, township, school district, or other municipality or incorporated district, shall never exceed seven percentum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two percentum upon such assessed valuation of property, without the assent of the electors thereof at a public election in such manner as shall be provided by law." The court holds that these two loans would take the city beyond the two per cent limit, and that a special election authorizing the same will be necessary. Whether such authorization will be obtained remains to be seen. Until this is done, however, great inconvenience will result from this sudden crippling of the city's finances.

Boston.*—*This Year's Municipal Legislation.* The law separating the public institutions of Boston is an important measure. Several years ago it was evident that the treatment of the inmates of the public institutions was governed more by motives of so-called "economy" in administration than by humane principles. A special board of visitors, appointed by Mayor Matthews, made recommendations for improvement, but these were not followed. Two years ago the commission of three in charge of the institutions was abolished and a single commissioner was constituted the head. While this effected a greater efficiency in management it was felt by those interested in public charities that it did not touch the root of the trouble, for the number of inmates in the institutions was so great that the charge was too much for one administration, while the requirements of the various classes called for entirely different forms of administration, according to the necessities of each class. Agitation to this end became most earnest, and the opinion of experts was unanimous in favor of the change. Proposed legislation was unsuccessful last year, but this year the desired change was made. In consequence the institutions are now separated into four classes, comprising respectively, the criminals, the paupers, the children and the insane. The paupers' institution department, the insane hospital department and the children's institution department are each placed in charge of boards of seven trustees, appointed by the mayor and not subject to confirmation. At least two members of each board must be women. The terms of the trustees are for five years each, with the customary provision for shorter terms in the earlier years. The penal institution department is placed in charge of the present institutions commissioner. A fifth department is the institutions registration department, in charge of the registrar of institutions, who is required to investigate and report upon cases that concern any of the several institutions. It is required that conferences shall be held at least four times a year between the mayor, two members from each board of trustees, the institutions commissioner, the registrar of institutions, and two members of the board of overseers of the poor, with a view to co-ordinating and advancing the work of the several departments.

Mrs. Alice N. Lincoln, who has led in the movement for this reform, calls attention to the beneficial results of a similar separation of institutions in New York City since January 1, 1896, where the condition of the inmates has already been greatly improved and the city has been saved a charge of between 400 and 500 cases needlessly supported at its expense.

The new Department of Municipal Statistics recommended by Mayor

* Communication of Sylvester Baxter, Esq.

Quincy has been constituted by the city council and the following five members have been appointed commissioners in charge, serving without pay: Lawrence Minot (chairman), Professor Dewey, of the Institute of Technology; Sumner B. Pearmain, Robert Woods and Dr. Hartwell, Director of Physical Training in the Public Schools. The City Engineer, Mr. Jackson, is a member of the board *ex-officio*. The normal terms of appointed members are five years, but at the beginning members are appointed for terms of five, four, three, two and one years. Important lines of statistical inquiry will be entered upon as soon as possible.

An act supplementary to that to consolidate the board of aldermen and the common council and reorganize the city government provides that, in case said act be accepted by a majority of the voters, no measure for the appropriation or expenditure of money, or granting any location, franchise, right or privilege in or under a public way, shall be passed by the city council unless it receives two separate readings, the second at least one week after the first; to pass such a measure over the mayor's veto a vote of two-thirds of all the members of the council is required. The date for holding the annual municipal election is changed to the third Tuesday in December.

An act establishing the Cemetery Department of the city of Boston places Mount Hope Cemetery and the other burial grounds belonging to the city in charge of a board of five trustees, appointed by the mayor, subject to confirmation by the board of aldermen.

An act relative to sewerage works requires the city council to appropriate annually a sum not exceeding \$1,000,000 for constructing sewerage works, as ordered by the street commission, and also sums sufficient for maintaining and operating said works. A peculiar feature of the act is that providing for the bringing of suits for damages for property taken before a jury of the superior court of the adjacent county of Middlesex, rather than in Suffolk county. Under the policy governing remunerative municipal enterprises and investments, like waterworks, parks, etc., these sewerage loans are placed outside the debt limit of the city. The street commission is required annually to determine just and equitable charges upon estates for construction, maintenance and operation of the sewerage works, taking into consideration in fixing the charges the necessity of the works as caused by each estate, the amount of use thereof, if any, by the estate or its occupants, the benefit received therefrom by the estate, the amount of sewerage assessments previously paid, length of time since such payment, the use heretofore made of the sewerage works by the occupants of the estate, and such other matters as shall be deemed just and proper. This practically

applies to sewerage the same principle governing the fixing of water rates.

Under the act which legalized the acceptance by the city of the gymnasium recently presented by a public-spirited lady, Boston is authorized to establish public gymnasia, not exceeding one to each ward, and to accept donations of lands or buildings fitted with gymnastic apparatus.

Greater Boston Legislation. The metropolitan park commission, established in 1893 for the Metropolitan Parks District, comprising Boston and the surrounding group of municipalities known as Greater Boston, has been authorized by the legislature to expend \$1,500,000 in its work, in addition to the sums appropriated in previous years, amounting to \$2,800,000. Of this amount, \$500,000 is for general purposes and \$1,000,000 for constructing roadways and boulevards within and connecting with its park reservations.

Portions of the towns of Lexington and Wakefield have been added to the Metropolitan Sewerage District, and the metropolitan water commission has been authorized to admit the town of Stoneham into the Metropolitan Water District on application of said town.

Omaha.*—Omaha is now being governed under the new charter which was enacted by the late fusion legislature and went into force March 15 last. The constitutionality of the charter was attacked in the courts but the law was upheld in all essential points in a decision handed down by the supreme court the last week in June.

Under the new charter the principal executive officers, namely, the mayor, city clerk, city treasurer, comptroller and police judge are continued and the new office of tax commissioner created. Of the appointive offices a number were discontinued, among them three sinecure salaried places by the board of public works. The term of the new officers who were elected in April and took their seats in May, is for three years. In order to separate the municipal election from the state and county elections a separate city election was established for March of each third year. The powers of the government remain vested in the Omaha council, but the council is reduced from eighteen members to nine members who, while chosen from the separate wards, must be elected by the voters of the entire city.

Aside from the reduction of the salaries and the abolition of a few useless offices there are several interesting features in Omaha's new municipal charter. With respect to the granting of franchises the charter provides that no ordinance granting or extending any franchise shall be passed for two weeks after its introduction nor

*Communication of Victor Rosewater, Esq.

until it has been published daily for two weeks and no new franchise shall be granted, nor existing franchise extended except with an annuity to the city based upon either a fixed amount every year or a percentage of the gross earnings, nor until approved by a majority vote of the electors at a general or special election.

In order to obviate the regularly recurring contest for designation of the official organ of the city, and at the same time to enable people of all political parties to see the city official notices, the charter itself establishes the rate which shall be paid for such advertising and makes it incumbent upon the council to designate two established daily newspapers which shall signify their acceptance of the terms.

A peculiar provision also exists in relation to disputed claims against the city for labor and material. According to this section no such bill for labor or material which has been adversely reported or rejected by the administration under which it was incurred and no bill not presented within eighteen months from the time it became payable can be allowed and paid by any subsequent administration except through an order of the court in which it has been sued and judgment secured.

The power of the mayor and council to order street improvements at the expense of the abutting property owners are similar to those which prevail in other cities, but a distinction is made between paving and repaving. The council is empowered to order the paving of streets within 3000 feet of the court house without respect to the wish of taxpayers against whose property the cost is to be assessed. Beyond that limit the power of the council to order paving exists on condition that a prescribed percentage of the property owners do not enter formal protests. For repaving, on the other hand, a petition of the owners of a majority of front feet abutting is necessary to give the council jurisdiction.

The intention of the new charter in establishing a special tax commission was to secure a separate assessment on personal property for city taxation. Inasmuch as such an assessment is expected to increase the tax valuation, the amount of the authorized levy for a special fund which has heretofore been a percentage of the total levy has been changed to a fixed sum enumerated in the charter for which municipal taxes may be levied.

The new charter is specially stringent with respect to city officials being interested directly or indirectly in contracts with the city. It also contains an express prohibition upon the city officials, agents and employes from receiving or soliciting any contribution of money or supplies of any kind or receiving special privileges at the

hands of any city contractor or any franchised corporation. All officials and agents of the city are also prohibited from soliciting or receiving, directly or indirectly, the political support of any contractor, franchised corporation or railroad company for any municipal election or for any other election or primary election, and franchised corporations and railroad companies are prohibited from furnishing or appropriating any money to promote the success or defeat of any person in any election or primary election held in the city, or to promote or prevent the appointment or confirmation of any appointive official of the city. The violation of this provision on the part of a city official is declared to be malfeasance which shall subject him to removal from office and a fine not exceeding \$500. A violation on the part of a franchised corporation will work a forfeiture of its franchise and the imposition of a fine not exceeding \$500 upon it and every officer or agent implicated therein. Any officer or agent of the city who shall make a demand for money or other valuable consideration upon a franchised corporation or a public contractor under threat to introduce or vote for a measure adverse to their interests or promise to prepare or introduce a bill favorable to such company or contractor also subjects himself to the penalties for malfeasance.

While the new Omaha charter was passed by the legislature largely as a political measure with the expectation on the part of the fusion legislature that it would result in a fusion victory at the first city election held under it, this expectation was disappointed and the Republicans continued in control of the city government. While it is perhaps too early to render judgment upon a charter which has been in force only three months, with a few minor exceptions, it seems to be an improvement and to be working satisfactorily to citizens and taxpayers.

Missouri.—*Street Railway Franchises.* The eighteenth annual report of the Bureau of Labor Statistics contains a discussion of the payments by street railway companies to the cities of the commonwealth in return for franchise privileges. The comments of the commissioner upon the relation of the street railway companies to the cities of St. Louis and Kansas City, show that franchise grants have been made with little or no attempt to secure anything like an adequate return. In the city of St. Louis some three hundred miles of street have been granted; the value of the franchises being estimated by the commissioner to be nearly \$30,000,000. Taking 5 per cent as the legitimate return upon the value of these privileges, the commissioner concludes that the city ought to receive \$1,478,582 annually. Instead of this, however, but \$47,500 are paid. Were the street

railways to pay this annual rental of nearly \$1,500,000, their profits would still be $5\frac{1}{4}$ per cent on the capital invested.

In Kansas City, the conditions are less favorable than in St. Louis. Here the companies pay absolutely nothing for the privilege of occupying some sixty-three miles of street. The commissioner estimates the value of the franchises at \$6,014,580, a 5 per cent return upon which would bring into the city treasury some \$300,729 annually.

One part of the report is devoted to a discussion of the evasion of taxation by the street railway companies. The commissioner shows that the valuation of the lines is far below their actual value. Thus, the actual value of the St. Louis street railways is \$37,987,000; they are assessed, however, at \$4,246,190; in other words, but 11.17 per cent of their true value. Private property on the other hand is assessed at 50.40 per cent. The commissioner in drawing conclusions from this condition of affairs points to the political influence exercised by the street railway companies as the true cause.

FOREIGN CITIES.

Paris.—*Underground Railway.* During the last few years the construction of an underground railway has been occupying an important place in the discussions of the municipal council. The means of communication, especially in the central portions of the city, are utterly inadequate to meet the needs of passenger and freight traffic. Complaints in regard to the former at least have been continuous and well founded. The plan for a system of underground rapid transit has been before the public since the Exposition of 1889; the lack of proper facilities having been particularly evident at that time. Since then the project has not slept. The municipal council has been anxious to see a portion of the work completed before the Exposition of 1900. As soon as the question of method of construction came before the council radical differences of opinion made themselves felt. A considerable number favored the construction, management and control by the municipality; others advocated private construction and management. The majority, however, favor construction by the municipality, but management by a private company. Although the final decision has not as yet been reached, it is probable that this latter system will be adopted. The committee, in a report to the council, recommends the following conditions of lease:

1. The company to pay to the city one cent (five centimes) for each passenger carried. The committee estimates an annual traffic of 110,000,000, which will mean an annual payment of \$1,100,000.

The cost of fare is not to exceed five cents for first class and three cents for second class. Special workingmen's return tickets at the rate of three cents must be issued.

2. The term of lease is to be thirty-five years, at the end of which the city enters into full possession of all the lines.

3. The motive power is to be electricity, or some force other than steam to be approved by the council.

The length of lines as planned is to be about forty-five miles, crossing the city in different directions. It is interesting to note that after having given the various systems of adjusting relations with private companies a fair trial the authorities have determined to hold to the "proportion of gross receipts" as the fairest and least troublesome method.

Unification of Administration. The agitation for municipal home-rule is quite as strong in Europe as in the United States. The spirit of centralization which characterized the Napoleonic legislation placed the municipalities in the power of the central government. The mayor, members of the town council and city officials were under the Napoleonic régime, appointed by the central government. With the exception of two reactionary periods the tendency of French legislation since 1815 has been toward assuring to the municipalities a greater measure of home-rule. Paris has never profited by the change; the central government being unwilling to lessen its control over the administration of the capital. A bill, recently introduced by M. Alphonse Humbert, accompanied by a detailed report, has brought the question before the French Parliament. It is probable that the government will make certain concessions to the principle of home-rule. During the last few years a distinct change in the spirit of enforcement of the law has taken place. The central government has been extremely careful to limit its direct interference in municipal affairs. As a result the power of the municipal council has greatly increased. The next session of the legislature will probably bring a change in the relation between the state and municipal authorities.